

Applicant : Weifang Luo et al.
Serial No. : 09/393,043
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REMARKS

Claims 1-54 are pending. Applicants canceled claims 51-54 and amended claim 47. Applicants acknowledge the Examiner's indication that claims 1-46 are allowed.

Claims 51-54 were objected to and rejected by the Examiner under 35 U.S.C §112, second paragraph, as being indefinite. Applicants canceled claims 51-54, which renders the objection and the rejection moot.

The Examiner rejected claims 47-50 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,074,781 (Jurca). However, Jurca does not disclose or suggest a battery having a second electrode including nine lobes that extend radially in a plane transverse to a length of a battery housing, as required by amended claim 47.

Instead, Jurca discloses embodiments of a battery having electrodes that are circular, or at best, oval, in a plane transverse to a length of a battery housing. For example, referring to the embodiment shown Fig. 5 of Jurca, Jurca discloses that cathode 20 has "radial cross section at all sections taken through the cell."¹ For the embodiment shown in Fig. 6, Jurca discloses that "the cathode 20 maintains an inside diameter of **uniform radial** cross section through the length of the cell 10."² Jurca does not disclose or suggest an electrode having nine lobes extending radially in a plane transverse to a length of a battery housing. Therefore, Applicants request that the rejection be reconsidered and withdrawn.

Applicants submit that the claims are in condition for allowance, which action is requested.

¹ Jurca at col. 5, l. 65, to col. 6, l. 2 (emphasis added).

² *Id.* at col. 6, l. 8-11 (emphasis added).

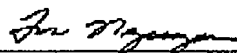
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Attached is a marked-up version of the changes being made by the current response.
Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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